

UNITED STATES DISTRICT COURT

for

District of Guam

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Marlene R. Borja Case Number: CR 02-00059-001

Name of Sentencing Judicial Officer: John S. Unpingco

Date of Original Sentence: January 15, 2003

Original Offense: Bank Fraud, in violation of 18 U.S.C. § 1344

Original Sentence: Eight months imprisonment and five years supervised release to follow. Special conditions ordered the defendant to participate in drug treatment and testing; submit to a mental health intake assessment and any recommended treatment; obtain and maintain lawful employment and shall not be in any occupation involving direct cash transactions; pay \$2,638.44 restitution; not incur any new credit charges or open additional lines of credit without the U.S. Probation Office's approval; provide the U.S. Probation Office access to all financial information; not associate with Jennifer L. Fejeran; report weekly to the U.S. Probation Office for guidance and instruction; perform 400 hours of community service; notify employers of criminal history; and pay a \$100 special assessment fee. **Informational Violation Report**, May 28, 2004. **Modified** August 24, 2004, ordered to serve three months of home confinement with electronic monitoring and to participate in a psychological assessment and any recommended treatment. **Revoked** February 10, 2005, ordered to serve 30 days home detention with electronic monitoring with 36 months supervised release to follow. All conditions previously ordered and modified were re-imposed. **Revoked** July 8, 2005, and ordered to serve eleven months imprisonment and 48 months supervised release to run concurrently with criminal case no. 97-00142-001. All conditions previously ordered and modified were re-imposed with the exception of community service.

Type of Supervision: Supervised Release Date Supervision Commenced: May 19, 2006

Assistant U.S. Attorney: Marivic P. David Defense Attorney: John T. Gorman

PETITIONING THE COURT

☐ To issue a warrant

☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision in violation of 18 U.S.C. § 3583(d):

Violation Number Nature of Noncompliance

Mandatory
Condition

Failure to refrain from committing another federal, state, or local crime.

U.S. Probation Officer Recommendation:

- ☐ The term of supervision should be
☒ revoked.
☐ extended for _____ years, for a total term of _____ years.
- ☐ The conditions of supervision should be modified as follows:

See attachment:

***Declaration in Support of Petition; Re: Violations of Supervised Release, Request for a Summons
submitted by USPOS Carmen D. O'Mallan***

Reviewed by:

I declare under penalty of perjury that
the foregoing is true and correct.



/s/ ROSSANNA VILLAGOMEZ-AGUON
Chief U.S. Probation Officer



/s/ CARMEN D. O'MALLAN
U.S. Probation Officer Specialist

Date: November 21, 2007

Executed on: November 21, 2007

THE COURT ORDERS:

- ☐ No action.
- ☐ The issuance of a warrant.
- ☒ The issuance of a summons. A summons shall issue for December 20, 2007, at 2:00 p.m.
- ☐ Other



/s/ Joaquin V.E. Manibusan, Jr.
U.S. Magistrate Judge
Dated: Dec 12, 2007